

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE ELECTRIC & GAS CORPORATION, Plaintiff, v. FIRSTENERGY CORPORATION, Defendant.	Civil Action No.: 3:03-CV-0438 (DEP)
FIRST ENERGY CORPORATION, Third-Party Plaintiff, v. I.D. BOOTH, INC.; ITHACA CITY SCHOOL DISTRICT; CITY OF ITHACA, NEW YORK; and CITY OF ONEONTA, NEW YORK, Third-Party Defendants.	

STIPULATION AND ORDER DISMISSING ACTION

Third-party plaintiff FirstEnergy Corp. ("FirstEnergy") and third-party defendant City of Oneonta ("Oneonta") hereby stipulate and agree, through their respective counsel, that the above-entitled third-party action asserted by FirstEnergy against Oneonta is hereby dismissed with prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Dated: December 15, 2010

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IT IS SO ORDERED:



David E. Peebles

U.S. Magistrate Judge

Dated: December 21, 2010